

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NORTH DAKOTA
NORTHEASTERN DIVISION

United States of America,

Plaintiff,

vs.

Geddy Lee Whitetail a/k/a

Geddy Lee Dubois,

Defendant.

**ORDER ADOPTING
REPORT AND RECOMMENDATION**

Criminal Nos. 2:02-cr-90-01
2:04-cr-128-01

Before the Court are charges that Defendant violated a condition of his supervised release. (Doc. #59). Specifically, it is alleged Defendant absconded during a required 90-day placement at a halfway house.

On September 25, 2006, Defendant appeared before the Honorable Alice R. Senechal and admitted to the petition's allegations. Magistrate Judge Senechal issued a Report and Recommendation (Doc. #68) to the Court, pursuant to 28 U.S.C. § 636 (2002), recommending that Defendant's term of supervised release be revoked and that he be ordered to serve seven months in custody, followed by no additional term of supervised release. Neither party has filed an objection to this recommendation within the requisite time period. Local Rule 72.1(E)(4).

The Court has reviewed the Report and Recommendation, along with the entire file, and concludes that the Magistrate Judge's position is correct. Accordingly, the Court hereby adopts the Report and Recommendation in its entirety. For the reasons set forth therein, Defendant's term of supervised release is **REVOKED**, and he is **ORDERED** to serve seven months in custody, with credit for time served since his arrest.

IT IS SO ORDERED.

Dated this 17th day of October, 2006.

/s/ Ralph R. Erickson
Ralph R. Erickson, District Judge
United States District Court